



3-8-04 Image AF1636

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Meade et al.**

Serial No.: **09/012,904**

Group No.: **1636**

Filed: **01/23/1998**

Examiner: **Celine X. Qian**

For: **Transgenic Production of Antibodies in Milk**

Attorney Docket Number: **GTC-1 D3**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
AFTER THE FIRST OFFICE ACTION ON THE MERITS BUT BEFORE MAILING OF
EITHER A FINAL ACTION OR A NOTICE OF ALLOWANCE (37 CFR 1.97(c))**

1. Authority

Pursuant to 37 CFR §§ 1.56 and 1.97-1.99, the Applicant cites to the Examiner documents containing information which, in good-faith judgment of the Applicant, may be relevant to the subject matter claimed in the above-identified application. The Applicant also encloses copies of the English-language cited documents.

In submitting this Supplemental Information Disclosure Statement, the Applicant makes no representation that a search has been performed, or the extent of any search performed, or that more relevant information does not exist. Applicant does note that its representation before the USPTO has recently changed.

In submitting this Supplemental Information Disclosure Statement, the Applicant makes no representation that any document cited in this Supplemental Information Disclosure Statement is, or is considered to be prior art as defined by 35 USC §§ 102 and 103.

2. Time of transmittal of accompanying Supplemental Information Disclosure Statement

The Supplemental Information Disclosure Statement transmitted herewith is being filed *after* three months of the filing date of this application *and after* the mailing date of the first Office action on the merits, but *before* the mailing date of either:

- (1) a final action under § 1.113, or
- (2) a notice of allowance under § 1.311, whichever occurs first.

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that under 37 CFR §1.10 that this correspondence is being deposited on March 5, 2004 with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kristin Kaberry
Kristin Kaberry

03/10/2004 00000146 502092 09012904

01 FC:1806 180.00 DA

3. Amount of Fee

Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Supplemental Information Disclosure Statement under § 1.97(c).

Fee due \$ 180.00

4. Authority to charge Deposit Account

Please charge this \$180.00 and any other necessary fees which may be required during the entire pendency of this application to Deposit Account No. 502092. A duplicate of this transmittal is enclosed for this purpose.

5. Foreign Search Reports

A copy of the PCT International Search Report from a counterpart application is enclosed. Legible copies of all items listed in Form PTO-1449 accompany this information statement. Cumulative patents or publications identified in the attached PCT Search Report are not enclosed.

The Applicant respectfully requests that:

- a. The Examiner consider the cited information in reaching a determination concerning the patentability of the pending claims; and
- b. The enclosed Form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

The person making this statement is the attorney who signs below on the basis of the information in the attorney's file.

Dated: 3/5/04

By: 

Byron V. Olsen, Reg. No. 42,960
Attorney for Applicant
GTC Biotherapeutics, Inc.
175 Crossing Blvd., Suite 410
Framingham, MA 01702
Tel. #(508) 370-5150 Fax #(508) 370-3797

**Complete if Known**

(Use as many sheets as necessary)

Sheet 1

of 2

Application Number	09/012,904
Filing Date	01/23/1998
First Named Inventor	Harry M. Meade
Art Unit	1636
Examiner Name	Celine X. Qian
Attorney Docket Number	GTC-1 D3

[illegible]

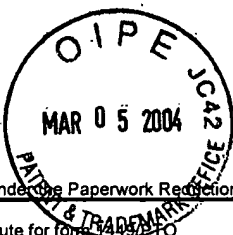
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0 279 582 A	08-24-1988	Baylor College		
		WO 91 08216 A	06-13-1991	GenPharm		

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 2495-PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	09/012,904
Filing Date	01/23/1998
First Named Inventor	Harry M. Meade
Art Unit	1636
Examiner Name	Celine X. Qian
Attorney Docket Number	GTC-1 D3

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		YOM et al., Genetic Engineering of Milk Composition: Modification of Milk Components in Lactating Transgenic Animals, Am J Clin Nutr, 1993: 58, pgs. 299S-306S.	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.